

United States District Court
Northern District of Illinois
Eastern Division

United States of America

WARRANT FOR ARREST

v.

08-m-57(DRH)

Alan K. Cherry

Case Number: 03 cr 1049-1

To: The United States Marshal
And any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest Alan K. Cherry and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Indictment Information Complaint (X) Order of court Violation Notice
Probation Violation Petition

charging him or her with: Violations of supervised release.

in violation of Title 18 United States Code, Section(s) 922(c)

Ellenore Duff Issuing Officer, Deputy Clerk

Ellenore Duff
Signature of Issuing Officer

11/7/07, Chicago, IL

Bail fixed at \$

Judicial Officer

RETURN		
This warrant was received and executed with the arrest of the above-named defendant at		
Date Received	Name and Title of Arresting Officer	Signature of Arrest Officer
Date of Arrest		

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 CR 1049 - 1	DATE	11/6/2007
CASE TITLE	USA vs. Alan K. Cherry		

POCKET ENTRY TEXT
 It is ordered that a bench warrant issue for Alan K. Cherry for violations of supervised release.

Docketing to mail notices.

A TRUE COPY-ATTEST
 MICHAEL W. DOBBINS, CLERK
 By *[Signature]*
 DEPUTY CLERK
 U.S. DISTRICT COURT, NORTHERN
 DISTRICT OF ILLINOIS
 DATE: 11-7-07

Courtroom Deputy Initials:	SN
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03CR1049 - 1 USA vs. Alan K. Cherry

UNITED STATES DISTRICT COURT
Office of the Chief Probation Officer
Northern District of Illinois
55 East Monroe Street, Suite 1500
Chicago, Illinois 60603-5702

TO: Honorable Milton I. Shadur

October 29, 2007

SPECIAL REPORT

RE: CHERRY, Alan K.
Supervised Releasee
Docket No: 03 CR 1049 - 1
Expiration Date: December 19, 2009

PURPOSE OF REPORT

To Request a Hearing for a Rule to Show Cause Why Supervised Release Should Not Be Revoked and to Request a Warrant.

LEGAL HISTORY

On September 17, 2004, the offender was sentenced by Your Honor after having been convicted of Unlawful possession of a firearm after a felony conviction, in violation of Title 18, United States Code, Section 922(g)(1). The offender was sentenced to 30 months imprisonment, 36 months supervised release, \$3,000.00 fine, \$100.00 special assessment, drug treatment program.

On January 17, 2007, the undersigned officer notified Your Honor that the offender had been arrested and charged with unlawful possession of marijuana on January 9, 2007. To date that matter is unresolved. On May 2, 2007, the Will County Circuit Court issued a failure to appear warrant, which is currently active.

VIOLATIONS

Subsequently, the following violations of supervision are being reported:

Violation No. 1 (Standard Condition #2): The offender failed to report to the probation officer and submit a truthful written report within the first five days of each month.

The above named offender has failed to report to the undersigned officer in person as of March 28, 2007. Additionally, the offender has failed to submit a monthly written reports as directed.

Violation No. 2 (Mandatory Condition): The offender willfully failed to pay a fine as ordered by the Court.

The last payment made by the offender was submitted on November 26, 2006, in the amount of \$160. The offender owes a fine balance in the amount of \$2,840.

Violation No. 3 (Special Condition): The offender failed to participate in a drug aftercare

RE: CHERRY, Alan K.
 Supervised Release
 Docket No: 03 CR 1049 - 1
 Expiration Date: December 19, 2009

program as directed.

On January 29, 2007, the offender was placed in an out patient drug treatment program as a special condition of his term of supervised release. According to the drug clinic's records, the last time the offender submitted to a drug test was on April 19, 2007.

RECOMMENDATION AND JUSTIFICATION

The offender's conduct concluded on or after April 30, 2003, the date the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act (PROTECT Act) became effective. The Violent Crime Control Act (VCCA) of 1994 permits the reimposition of supervised release upon revocation, pursuant to Title 18, United States Code, Section 3583(h). The PROTECT Act allows the Court, upon each revocation of supervised release, to impose up to the maximum revocation prison term provided in 18 USC 3583(e)(3). Further, additional terms of supervised release may always be imposed unless the current revocation prison term is equal to the term of supervised release authorized by statute, 18 USC 3583(b).

The offender was convicted on a Class C felony offense; therefore, upon revocation, the offender could receive a total custodial sentence of up to 24 months, according to Title 18, USC, Section 3583(e)(3). The length of the term of supervised release which could be reimposed would be up to 36 months, according to Title 18, United States Code, Section 3583(b). The length of the newly imposed term of supervised release shall not exceed the term of supervised release authorized by statute for the offense that resulted in the original term of supervised release, less any term of imprisonment that is imposed upon revocation of this period of supervised release.

Chapter Seven, of the United States Sentencing Commission Guidelines Manual, presents the policy statement that the Court must consider for sentencing upon revocation of supervision. Based upon this offender's highest violation behavior of Grade C, and his Criminal History Category of IV, the revocation guideline range is between 6 months and 12 months of custody. The revocation guideline range is advisory and not binding on the Court. Should the Court sentence the offender outside the range, the reason should be stated for the record. The Violation Worksheet is attached to this report.

The undersigned officer has attempted to reach the offender at his last known residence and has left several voice mail messages with the offender's last known roommate. To date the probation office has not heard from the offender.

The undersigned officer recommends that Your Honor issue a federal bench warrant for the offender's arrest. At this time, the undersigned officer would recommend that the offender's term of supervised release be revoked and that he be sentenced to seven months in the Bureau of Prisons. The undersigned believes that the offender should serve one month in custody for each month he has failed to report to the probation office as directed. Additionally, the offender should be sentenced to serve 36 months of supervised release to follow any term of incarceration.

I declare under penalty of perjury that the foregoing is true and correct.

RE: CHERRY, Alan K.
Supervised Releasee
Docket No: 03 CR 1049 - 1
Expiration Date: December 19, 2009

Respectfully submitted,



Edgar A. Leon KK
U.S. Probation Officer
Phone: 630-663-1089

Reviewed by:



Kimberly Masini lck
U.S. Probation Officer
Phone: 630-663-1087

VIOLATION WORKSHEET

1. Defendant Alan K. Cherry
2. Docket Number (Year-Sequence-Defendant No.) 03 CR 1049-1
3. District/Office Northern District of Illinois - Chicago
4. Original Sentence Date 9 / 17 / 04
month day year
(If different than above:)
5. Original District/Office SAME AS ABOVE
6. Original Docket Number (Year-Sequence-Defendant No.) 03 CR 1049-1
7. List each violation and determine the applicable grade (see §7B1.1):

<u>Violation(s)</u>	<u>Grade</u>
• <u>Failure to Report in Person</u>	<u>C</u>
• <u>Failure to Submit a Written Report</u>	<u>C</u>
• _____	_____
• _____	_____

8. Most Serious Grade of Violation (see §7B1.1(b)) C
9. Criminal History Category (see §7B1.4(a)) IV
10. Range of Imprisonment (see §7B1.4(a)) _____

6 to 12 Months

11. Sentencing Options for Grade B and C Violations Only (Check the appropriate box):
- (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month, but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.
- X (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months, but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.

Defendant Alan K. Cherry

- (c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

12. Unsatisfied Conditions of Original Sentence

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution (\$) 0 Community Confinement 0

Fine (\$) 3,000 Home Detention 0

Other NA Intermittent Confinement 0

13. Supervised Release

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §§7B1.3(g)(1)).

Term: to years

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from imprisonment: 36 Months

14. Departure

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

15. Official Detention Adjustment (see §7B1.3(e)): months days

Mail documents to: United States Sentencing Commission, Federal Judiciary Building,
One Columbus Circle, Suite 2-500, South Lobby, Washington, D.C. 20002-8002

11/1/90

APPEAL, KEYS, TERMED

**United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.0 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:03-cr-01049 All Defendants**

Case title: USA v. Cherry

Date Filed: 12/04/2003

Date Terminated: 09/17/2004

Assigned to: Honorable Milton I.
Shadur

Appeals court case number: 04-3527

Defendant

Alan K Cherry (1)
TERMINATED: 09/17/2004

represented by **Imani Chiphe**
Federal Defender Program
55 East Monroe Street
Suite 2800
Chicago, IL 60603
(312) 621-8300
TERMINATED: 09/17/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

18:922C.F ILLEGAL TRANSFER OF
FIREARMS
(1)

Disposition

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of thirty (30) months as to count one (1). (If the guidelines are inapplicable then a sentence of forty-eight (48) months would apply). The defendant is remanded to the custody of the United States Marshal. Upon release from imprisonment the defendant shall be on supervised for a term of three (3) years. The defendant shall pay a fine in the amount of \$3,000.00. Schedule of payments. (Preliminary order of forfeiture)

Highest Offense Level (Opening)

Felony

Terminated Counts

18:922C.F ILLEGAL TRANSFER OF
FIREARMS
(2)

Disposition

Dismissing

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

United States of America

represented by **Pretrial Services**

435-5545

Email:

ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Probation Department

408-5197

Email: Intake_Docket_ILNP@ilnp.uscourts.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Rachel Marie Cannon

United States Attorney's Office (NDIL)

219 South Dearborn Street

Suite 500

Chicago, IL 60604

(312) 353-5300

Email: rachel.cannon2@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/04/2003	<u>1</u>	COMPLAINT Hon. Arlander Keys (emd) (Entered: 11/14/2003)
11/04/2003	<u>2</u>	MOTION by USA to seal arrest warrant, affidavit, and complaint (emd) (Entered: 11/14/2003)
11/04/2003	<u>3</u>	MINUTE ORDER of 11/4/03 by Hon. Arlander Keys as to Alan K

		Cherry : Arrest warrant issued as to defendant Alan K. Cherry. The Government's motion to seal this case until defendant Alan K. Cherry is arrested is granted [2-1]. (Entered Order) No notice (emd) Modified on 11/14/2003 (Entered: 11/14/2003)
11/04/2003		ARREST Warrant issued for Alan K Cherry by Hon. Arlander Keys (emd) (Entered: 11/14/2003)
11/07/2003		DEFENDANT Alan K Cherry arrested (emd) (Entered: 11/14/2003)
11/07/2003	<u>4</u>	MINUTE ORDER of 11/7/03 by Hon. Arlander Keys as to Alan K Cherry : Initial appearance proceedings of Alan K Cherry held. Defendant appears in response to arrest on 11/7/03. Defendant is informed of his rights. Enter order appointing Imani Chiphe as counsel for defendant. Detention hearing and preliminary examination set for 11/12/03 at 1:30pm. The defendant is ordered detained until further order of Court. This case is ordered unsealed. No notice (emd) (Entered: 11/14/2003)
11/07/2003	<u>5</u>	ORDER appointing counsel as to Alan K Cherry (emd) (Entered: 11/14/2003)
11/07/2003	<u>6</u>	APPEARANCE of Attorney for Alan K Cherry by Imani Chiphe. (emd) (Entered: 11/14/2003)
11/07/2003	<u>7</u>	FINANCIAL AFFIDAVIT as to Alan K Cherry (emd) (Entered: 11/14/2003)
11/12/2003	<u>8</u>	MINUTE ORDER of 11/12/03 by Hon. Arlander Keys as to Alan K Cherry : Detention hearing and preliminary examination set for 11/12/03 at 1:30pm is reset to 11/13/03 at 10:00am. No notice (emd) (Entered: 11/14/2003)
11/13/2003	<u>9</u>	MINUTE ORDER of 11/13/03 by Hon. Arlander Keys as to Alan K Cherry : The defendant waives his right to preliminary examination. Enter a finding of probable cause. The defendant is ordered bound to the District Court for further proceedings. Detention hearing is continued to 11/18/03 at 1:00pm. The defendant is ordered detained until further order of court. Mailed notice (emd) (Entered: 11/14/2003)
11/18/2003	<u>10</u>	ORDER by Hon. Arlander Keys setting conditions of release for Alan K Cherry in the amount of \$4,500.00 own recognizance (For further details see order) (pmp) (Entered: 11/20/2003)
11/18/2003	<u>11</u>	BOND (\$4,500.00 own recognizance) by Alan K Cherry (pmp) (Entered: 11/20/2003)
11/18/2003	<u>12</u>	MINUTE ORDER of 11/18/03 by Hon. Arlander Keys as to Alan K Cherry : Detention hearing held. The defendant is order released. Mailed notice (pmp) (Entered: 11/20/2003)
11/21/2003	<u>13</u>	NOTICE regarding passport by Alan K Cherry (pmp) (Entered: 11/24/2003)

12/04/2003	<u>14</u>	INDICTMENT Counts filed against Alan K Cherry (1) count(s) 1-2 (pmp) (Entered: 12/05/2003)
12/04/2003	<u>15</u>	DESIGNATION SHEET Felony Category III (pmp) (Entered: 12/05/2003)
12/04/2003	<u>16</u>	MINUTE ORDER of 12/4/03 by Hon. Geraldine Soat Brown as to Alan K Cherry : Bond set by magistrate to stand as bond in this instance. No notice (pmp) (Entered: 12/05/2003)
12/05/2003	<u>18</u>	MOTION by USA to revoke defendant's pre-trial release as to defendant Alan K Cherry ; Notice (pmp) (Entered: 12/09/2003)
12/05/2003	<u>19</u>	MINUTE ORDER of 12/5/03 by Hon. Arlander Keys as to Alan K Cherry : Hearing held on the government's motion to revoke the defendant's pretrial release and detain him pending trial. The government's motion to revoke defendant's pre-trial release as to defendant Alan K Cherry is granted in part and denied in part. [18-1] The defendant's bond is modified to include total home confinement. The defendant to continue on electronic monitoring and to remain under house arrest at the home address stated on the bond conditions of 11/13/2003 as discussed in open court. Mailed notice (pmp) (Entered: 12/09/2003)
12/08/2003	<u>17</u>	ARRAIGNMENT NOTICE: Before Hon. Milton I. Shadur as to Alan K Cherry : Arraignment and plea set for Wednesday 12/10/2003 at 1:15 p.m. before Judge Shadur in courtroom 1203. Mailed notice (pmp) (Entered: 12/08/2003)
12/10/2003	<u>20</u>	MINUTE ORDER of 12/10/03 by Hon. Milton I. Shadur as to Alan K Cherry : Arraignment held. Defendant enters a plea of not guilty to all charges. LR16.1 to be completed on or before 12/17/2003. Defense motions are due 12/29/2003 followed by the government's response on 01/06/2004. A status hering is set for 01/13/2004 at 1:15 p.m. Defendant's presence is waived for that status hearing. This court finds that the time from today to and including 01/13/2004 excudable under 18:3161(h)(1) and the Tibboel case. Mailed notice (pmp) (Entered: 12/11/2003)
12/29/2003	<u>21</u>	MOTION by Alan K Cherry for disclosure of exculpatory and other evidence ; (Attachments); Notice (pmp) (Entered: 12/30/2003)
01/06/2004	<u>22</u>	RESPONSE by USA to motion for disclosure of exculpatory and other evidence [21-1]; Notice (pmp) (Entered: 01/07/2004)
01/13/2004	<u>23</u>	MINUTE ORDER of 1/13/04 by Hon. Milton I. Shadur as to Alan K Cherry : Status hearing held and continued to 02/11/04 at 1:15 p.m. Defendant's motion for disclosure of exculpatory and other evidence is granted in part and denied in part [21-1] accordance with this court's oral ruling. Defendant's motion to suppress is to be filed on or before 02/10/04. This court finds that the time from today to and including 02/11/04 is excludable under 18:3161(h)(1) of the Speedy Trial Act and the Tibboel case. Mailed notice (pmp) Modified on 01/14/2004 (Entered: 01/14/2004)

		01/14/2004)
02/10/2004	<u>24</u>	MOTION by Alan K Cherry to suppress unlawfully seized evidence ; (Attachments); Notice (pmp) (Entered: 02/12/2004)
02/11/2004	<u>25</u>	MINUTE ORDER of 2/11/04 by Hon. Milton I. Shadur as to Alan K Cherry : Status hearing held and continued to 03/02/04 at 1:15 p.m. Government's response to defendant's motion to suppress unlawfully seized evidence [24-1] is to be filed on or before 02/25/2004. This court finds the time from today to and including 03/02/04 is excludable under 18:3161(h)(1)(f) of the Speedy Trial Act. Mailed notice (pmp) (Entered: 02/12/2004)
02/12/2004	<u>26</u>	EX PARTE motion by Alan K Cherry for issuance of subpoena(s) and/or dues tecum in forma pauperis ; (Attachments) (pmp) (Entered: 02/17/2004)
02/13/2004	<u>27</u>	MINUTE ORDER of 2/13/04 by Hon. Milton I. Shadur as to Alan K Cherry : Motion granted. [26-1] and [26-2] (Enter ex parte order) It is ordered that defense counsel is given authority for early return of subpoenaed documents. Mailed notice (pmp) (Entered: 02/17/2004)
02/25/2004	<u>28</u>	RESPONSE by USA to defendant's motion to suppress unlawfully seized evidence [24-1]; Notice (pmp) (Entered: 02/27/2004)
02/27/2004	<u>29</u>	REQUEST by Alan K Cherry for a hearing on his motion to suppress ; Notice (pmp) (Entered: 03/02/2004)
03/02/2004	<u>30</u>	MINUTE ORDER of 3/2/04 by Hon. Milton I. Shadur as to Alan K Cherry : Status hearing held. Defendant's motion for a hearing on his motion to suppress is granted. [29-1] A suppression hearing is set for 03/23/2004 at 1:30 p.m. This court finds that the time from tomorrow through 03/23/04 is excludable under 18:3161(h)(1)(f) of the Speedy Trial Act. Mailed notice (pmp) (Entered: 03/03/2004)
03/12/2004	<u>31</u>	SUPPLEMENTAL response by USA to motion to suppress unlawfully seized evidence [24-1]; Notice (pmp) (Entered: 03/17/2004)
03/16/2004	<u>32</u>	EMERGENCY motion by Alan K Cherry to modify bond ; Notices (pmp) (Entered: 03/18/2004)
03/17/2004	<u>33</u>	MINUTE ORDER of 3/17/04 by Hon. Milton I. Shadur as to Alan K Cherry : Defendant's emergency motion to modify bond is granted. [32-1] Defendant Alan Cherry is granted permission to travel to Nashville, Tennessee on 03/18/2004 returning on 03/22/2004. Mailed notice (pmp) (Entered: 03/18/2004)
03/23/2004	<u>34</u>	MINUTE ORDER of 3/23/04 by Hon. Milton I. Shadur as to Alan K Cherry : Suppression hearing held. Closing arguments are set for 03/26/04 at 10:00 a.m. No notice (pmp) (Entered: 03/25/2004)
03/26/2004	<u>35</u>	MINUTE ORDER of 3/26/04 by Hon. Milton I. Shadur as to Alan K Cherry : Closing arguments held on defendant's motion to suppress. A status hearing is set for 04/08/04 at 1:15 p.m. Mailed notice (pmp)

		(Entered: 03/30/2004)
04/08/2004	<u>36</u>	MINUTE ORDER of 4/8/04 by Hon. Milton I. Shadur as to Alan K Cherry : Status hearing reset to 04/20/04 at 1:30 p.m. This court finds that the time from today to and including 04/20/2004 continues to be excludable. Mailed notice (pmp) (Entered: 04/09/2004)
04/20/2004	<u>37</u>	MINUTE ORDER of 4/20/04 by Hon. Milton I. Shadur as to Alan K Cherry : Status hearing held. Jury selection and trial is set to begin at 9:30 a.m. on 06/29/2004. Mailed notice (pmp) (Entered: 04/21/2004)
05/04/2004	<u>38</u>	EMERGENCY motion by Alan K Cherry to modify bond ; Notices (pmp) (Entered: 05/10/2004)
05/07/2004	<u>39</u>	MINUTE ORDER of 5/7/04 by Hon. Milton I. Shadur as to Alan K Cherry : Defendant emergency motion to modify bond is granted. [38-1] Defendant Cherry's conditions of release are modified to allow defendant to work between the hours of 7 a.m. and 9 p.m. Mailed notice (pmp) (Entered: 05/10/2004)
06/15/2004	<u>40</u>	EXHIBITS by Alan K Cherry admitted into evidence during suppression hearing of 03/23/2004; Notice (pmp) (Entered: 06/16/2004)
06/24/2004	<u>41</u>	PLEA Agreement as to Alan K Cherry (pmp) (Entered: 06/25/2004)
06/24/2004	<u>42</u>	MINUTE ORDER of 6/24/04 by Hon. Milton I. Shadur as to Alan K Cherry : Change of plea hearing held. Defendant enters a plea of guilty to count one of the criminal indictment. Plea accepted. Judgment of guilty entered. Order presentence investigation report. Sentencing is set for 09/03/2004 at 1:15 p.m. Mailed notice (pmp) (Entered: 06/25/2004)
09/03/2004	<u>43</u>	MINUTE ORDER of 9/3/04 by Hon. Milton I. Shadur as to Alan K Cherry : Sentencing hearing reset to 09/15/2004 at 1:15 p.m. Mailed notice (pmp) (Entered: 09/09/2004)
09/16/2004	<u>44</u>	SENTENCING memorandum by USA re Alan K Cherry; (Attachment) Notice. (emd) (Entered: 09/17/2004)
09/17/2004	<u>45</u>	SENTENCING memorandum re Alan K Cherry; Notice (pmp) (Entered: 09/20/2004)
09/17/2004	<u>46</u>	MOTION by USA for entry of a preliminary order of forfeiture as to defendant Alan K Cherry (pmp) (Entered: 09/21/2004)
09/17/2004	<u>47</u>	MINUTE ORDER of 9/17/04 by Hon. Milton I. Shadur as to Alan K Cherry : Government's motion for entry of a preliminary order of forfeiture as to defendant Alan K Cherry is granted. [46-1] (Enter preliminary order of forfeiture) Notices mailed by judge's staff (pmp) (Entered: 09/21/2004)
09/17/2004	<u>48</u>	SENTENCING/Judgment and Commitment Order of 9/17/04 by Hon. Milton I. Shadur : Sentencing Alan K Cherry (1) count(s) 1. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of thirty (30) months as to count

		one (1). (If the guidelines are inapplicable then a sentence of forty-eight (48) months would apply). The defendant is remanded to the custody of the United States Marshal. Upon release from imprisonment the defendant shall be on supervised for a term of three (3) years. The defendant shall pay a fine in the amount of \$3,000.00. Schedule of payments. (Preliminary order of forfeiture) Dismissing count two (2) Alan K Cherry (1) count(s) 2 on the motion of the United States. case terminated Mailed notice (pmp) (Entered: 09/22/2004)
09/22/2004		JUDGMENT and Commitment issued to U.S. Marshal as to Alan K. Cherry (pmp) (Entered: 09/22/2004)
09/24/2004	<u>49</u>	NOTICE OF APPEAL by defendant Alan K Cherry from Scheduling order Sentencing Alan K Cherry (1) count(s) 1. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of thirty (30) months as to count one (1). (If the guidelines are inapplicable then a sentence of forty-eight (48) months would apply). The defendant is remanded to the custody of the United States Marshal. Upon release from imprisonment the defendant shall be on supervised for a term of three (3) years. The defendant shall pay a fine in the amount of \$3,000.00. Schedule of payments. (Preliminary order of forfeiture) [48-1], all all Dismissing count two (2) Alan K Cherry (1) count(s) 2 on the motion of the United States. [48-2], all all case terminated [48-3], order [48-4] (CJA APPOINTMENT) (mak) (Entered: 09/27/2004)
09/24/2004	<u>50</u>	DOCKETING STATEMENT by defendant Alan K Cherry regarding appeal [49-1] . (mak) (Entered: 09/27/2004)
09/27/2004		TRANSMITTED to the 7th Circuit the short record on appeal [49-1] as to Alan K Cherry . Mailed notice to all counsel. (mak) (Entered: 09/27/2004)
10/04/2004	<u>51</u>	ACKNOWLEDGEMENT of receipt of short record on appeal, as to Alan K Cherry appeal [49-1] USCA 04-3527 (pmp) (Entered: 10/04/2004)
10/15/2004		TRANSMITTED to the 7th Circuit the long record on appeal no. 04-3527as to Alan K Cherry consisting of 1 volume of pleadings. [49-1] Mailed notice to all counsel. (dj) (Entered: 10/15/2004)
10/20/2004	52	PRESENTENCE Report - sealed on Alan K Cherry (pmp) (Entered: 10/21/2004)
10/20/2004	53	SENTENCING RECOMMENDATION; J&C with statement of reasons sealed on Alan K Cherry (pmp) (Entered: 10/21/2004)
10/21/2004		TRANSMITTED to the 7th Circuit supplement to the record on appeal no. 04-3527 as to Alan K Cherry consisting of two envelopes of vault items. {52,53} Mailed notice to all counsel. (pmp) (Entered: 10/21/2004)
10/29/2004	54	TRANSCRIPT of proceeding as to Alan K Cherry held before Hon. Milton I. Shadur on 03/23/04, 03/26/04 and 09/17/04. (3 vols)[54-1 thru 54-3] (pmp) (Entered: 11/01/2004)

11/01/2004		TRANSMITTED to the 7th Circuit supplement to the record on appeal no. 04-3527 as to Alan K Cherry consisting of three volumes of transcripts of proceedings. [54-1 thru 54-3] Mailed notice to all counsel. (pmp) (Entered: 11/01/2004)
04/26/2006	<u>55</u>	APPEAL record returned as to Alan K Cherry: Consisting of one volumes of pleading, three volumes of transcripts and two in camera materials notice of appeal <u>49</u> (04-3527) (pmp,) (Entered: 04/28/2006)
04/26/2006	<u>56</u>	MANDATE of USCA (certified copy) as to Alan K Cherry: The judgment of the District Court is affirmed in accordance with the decision of this court entered on this date regarding notice of appeal <u>49</u> (04-3527) (pmp,) (Entered: 04/28/2006)
04/26/2006	<u>57</u>	OPINION from the USCA for the 7th Circuit; Argued 6/15/05; Decided 2/3/06 in USCA case no. 04-3527 (pmp,) (Entered: 04/28/2006)
11/06/2007	<u>58</u>	MINUTE entry before Judge Milton I. Shadur : It is ordered that a bench warrant issue for Alan K Cherry for violations of supervised release. Mailed notice (emd,) (Entered: 11/07/2007)
02/11/2008	<u>59</u>	BENCH WARRANT returned executed as to Alan K Cherry on 2/8/08 (emd,) (Entered: 02/11/2008)

PACER Service Center			
Transaction Receipt			
02/22/2008 10:33:19			
PACER Login:	us4417	Client Code:	
Description:	Docket Report	Search Criteria:	1:03-cr-01049
Billable Pages:	5	Cost:	0.40